GOVERNMENT OF INDIA
COAL AND MINES
LOK SABHA

UNSTARRED QUESTION NO:5264
ANSWERED ON:29.04.2002
RECOMMENDATIONS OF MINERALS ADVISORY COUNCIL
JAIBHAN SINGH PAWAIYA

Will the Minister of COAL AND MINES be pleased to state:

(a) whether the Union Government propose to transfer powers for the State Governments to approve the scheme relating to mining;

(b) if so, the details thereof;

(c) whether the Minerals Advisory Council has submitted several recommendations to the State Governments to attract participation of private sector in the mining sector;

(d) if so, the details thereof; and

(e) the reaction of the State Governments thereto?

Answer

THE MINISTER OF COAL AND MINES (SHRI RAM VILAS PASWAN)

(a) to (e): Mineral Concession are granted under the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and the rules framed thereunder. Section 5(2) (b) of the Act, inter-alia, provides that no mining lease shall be granted by the State Government unless it is satisfied that there is a mining plan duly approved by the Central Government or by the State Government, in respect of such category of mines as may be specified by the Central Government, for the development of mineral deposits in the area concerned. Under Rule 22(4A) ofthe Mineral Concession Rules, 1960, State Governments have been empoweredto approve mining plan of open cast mines (mines other that the underground mines) in respect of 29 non-metallic or industrial minerals which were notified vide Gazette Notification number GSR 743(E) dated25.9.2000, copy of which has already been laid on the Table of the House on 27.11.2000. In respect of all other mines, the power of approving mining plan continue to be exercised by the Indian Bureau of Mines, a subordinate office of the Department of Mines .

In the 26th meeting of Mineral Advisory Council held on 30.8.2000, severalissues such as fixing of time frame for disposal of application for mineral concession, fixing time framework for approval of mining plan, examine/review the areas already reserved for exploitation by Central /State Public Sector Undertakings which are no longer required for public sector exploitation were discussed.

The Central Government vide Gazette Notification dated 11.1.2002 has amended Mineral Concession Rules,1960 which prescribes a time limit for conveying decision on the application for grant of mineral concessions. In case of any delay beyond the prescribed period, the State Government has to record the reasons for delay in disposal of the application for mineral concession. Vide the aforesaid notification time limit of 90 days has also been prescribed for approval of mining plan. Some State Governments have undertaken the necessary exercise within the general policy frame -work of the respective State Governments for dereservation of areas reserved earlier for public exploitation.